

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NICHOLAS JAMES KEREMES, )  
Petitioner, )  
 )  
vs. ) Civil Action No. 18-1461  
 )  
MICHAEL CLARK, )  
Respondent. )

O R D E R

AND NOW, this 21th day of December, 2018, after the petitioner, Nicholas James Keremes, filed a petition for a writ of habeas corpus, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the petitioner a period of time after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the petitioner, and upon independent review of the petition and upon consideration of the Magistrate Judge's Report and Recommendation (ECF No. 4), which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for a writ of habeas corpus filed by petitioner (ECF No. 1) is dismissed as untimely and, because reasonable jurists could not conclude that a basis for appeal exists, a certificate of appealability is denied.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

s/ DAVID STEWART CERCONNE  
David Stewart Cercone  
Senior United States District Judge

cc: Nicholas James Keremes  
CP-6193  
SCI Albion  
10745 Route 18  
Albion, PA 16475  
(*Via First Class Mail*)